

DETAILED ACTION

This application has been reviewed. Claims 1, 4-16, 18, 19 and 22 are currently pending. The Examiner's Amendments and Reasons for Allowance are as follows:

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robyn Wagner on September 27, 2012.

The application has been amended as follows:

Please amend ONLY claim 22 as follows:

22. (Currently amended) A **non-transitory** computer readable medium comprising instructions which, when executed, cause a computer to:

receive a request to procure goods or services that are required to satisfy a spot need of a buyer, wherein at least one aspect of the spot need of the buyer is a requirement that the requested goods or services be available for immediate delivery, wherein the request includes information identifying a type of good or service being procured by the buyer, and wherein the request includes geographic information;

query a database of information representing the capabilities of suppliers to deliver goods and services to geographic areas and automatically select as potential bidders for an auction those suppliers whose capabilities satisfy at least a portion of the request;

electronically notify each of the potential bidders of an opportunity to submit a bid to satisfy all or part of the buyer's purchase request;

conduct the auction that includes electronically accepting bids from those potential bidders that each provide one or more bids before a bidding deadline expires and not accepting the bids after the bidding deadline expires; and

automatically select one or more winning bidders in accordance with the received bids.

Allowable Subject Matter

2. Claims 1, 4-16, 18, 19 and 22 are allowed.
3. The following is an examiner's statement of reasons for allowance:
The closest prior art is:

Giovannoli (US Patent No. 5,758,328) which discloses: receiving requests to procure goods and services (fig. 1 "System Central Computer"); the request includes geographic information (page 5, lines 15-20, 34-36); automatically selecting potential

bidders (column 2, lines 35-51, column 4, lines 36-49); automatically selecting one or more winning bidders (fig. 2A, block 4). However, Giovannoli does not disclose an "auction" or the use of a spot market.

Ausubel (US Patent No. 5,905,975) which discloses: the use of an auction that presents the capabilities of suppliers (fig. 2, element 61) to deliver goods and services to geographic areas and automatically selecting as potential bidders for an auction those suppliers whose capabilities satisfy at least a portion of the request (column 13, line 49 through column 14, line 2). Ausubel does not disclose the use of a spot market.

Neither reference addresses a "spot need" requiring goods and services to be available for immediate delivery.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MURIEL TINKLER whose telephone number is

(571)272-7976. The examiner can normally be reached on Monday through Friday from 8 AM until 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571)272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Muriel Tinkler/
Examiner, Art Unit 3691